

REMARKS

Claims 11-22 and 50 are pending in the instant application. Claim 11 has been amended as set forth above. The amendment is supported throughout the specification, for example in lines 6-7 on page 10 of the specification as filed. The amendment includes no new matter.

Applicant thanks the Examiner and his Supervisor for their time and courtesy during the telephonic interview on August 5, 2010. The amendment set forth above reflects the discussion during the telephonic interview.

As discussed during the interview, a Request for Continued Examination is filed with the instant response to allow for immediate consideration of the same.

Rejections under 35 U.S.C. §102(b)

The Office Action has rejected claims 11-13 under 35 U.S.C. §102(b) for allegedly being anticipated by Scholin (US Patent 6,187,530, hereinafter Scholin) as evidenced by Osman.

The Office Action asserts that the pores in the filter of Scholin would be equivalent to a capillary microcosm in the instantly claimed invention.

Applicant respectfully disagrees.

However, to progress the prosecution of the instant application, Applicant has amended claim 11 as set forth above to recite that each capillary microcosm comprises "wherein fluid flow can be controlled through the capillary microcosms individually". As discussed during the telephonic interview, Scholin does not teach a device in which "fluid flow can be controlled through the capillary microcosms individually" as now claimed. Withdrawal of the rejection is respectfully requested.

Rejection of claims under 35 U.S.C. §103(a)

The Office Action has rejected claims 11-18, 21-22, and 50 under 35 U.S.C. §103(a) for allegedly being obvious over Scholin in view of Kosha (US Patent 6,730,517) further in view of Isola, 1997.

Applicant respectfully disagrees.

Scholin is relied upon as above and the pores in the filter are asserted to be equivalent to the capillary microcosms instantly claimed. Without agreeing with the assertion, Applicant has amended the claims as set forth above to recite "wherein fluid flow can be controlled through the capillary microcosms individually". Fluid through each pore of a filter is neither taught nor suggested by Scholin or any other reference cited in the rejection. Moreover, there is no device or mechanism available to control fluid flow through pores individually in a filter. Therefore, it is not possible to modify Scholin to provide the instantly claimed invention.

Withdrawal of the rejection is respectfully requested.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,
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